

GOVERNMENT OF ANDHRA PRADESH
A B S R A C T

Social Welfare Department – Land Acquisition for House Sites – Kurnool District – Yemmiganur Village & Mandal - Land Acquired for provision of house sites to the weaker section people – Sanction of Rs.87,24,548/- towards half of the decretal charges in LAASMP No. 276/2012 in LAAS No.72/2012, dt 10.02.2012. in OP. No.31/06, and batch – Orders - Issued.

SOCIAL WELFARE (LA.2) DEPARTMENT

G.O Rt. No. 435

Dated: 24.06.2013

Read the following

1. From the Dist Collector, Kurnool, Lr.No.H.13/SWLA/2012, dated 13.06.2012.
2. From the CSW, A.P., Hyderabad Lr.No.LA4/5261/2012, dated 10.7.2012..
3. From the CCLA & Spl CS, AP, Hyd Ref No:S2/615/2012, dated 23.02.2013.

ORDER:

In the reference 3rd read above, the Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has informed that the LAO/RDO, Adoni has acquired land to an admeasuring Ac. 27.305 Cts in Sy. No : 89/A3B, etc., situated at Yemmiganur (V & M) of Kurnool District through an Award No. 2/HS/2006, Dated 16.02.2006, 8/HS/2000, Dated 14.03.2001 and 1/HS/2006 dated 04.02.2006 for provision of house sites to weaker section of Kurnool District. The Land Acquisition Officer has fixed the land value @ Rs. 42,000/- 43,000/- and 46,000/- per acre. The claimants received compensation amount under protest and requested the LAO to refer the matter to the Civil Court for enhancement of compensation. The RDO/LAO Adoni referred the OP. Nos : 31/06, 58/06, 61/06, 67/06, 73/06, 74/06, 75/06, 81/06, 32/07, 32/06, 66/06, 69/06, 27/06 and 62/06 in pursuance of memos filed by the claimants before the RDO, Adoni, after receiving the determined compensation under protest. The Hon'ble Sr. Civil Judge Court, Adoni issued orders Dated 26.02.2010 in above OP's is as follows :

1. That the claimants are entitled to market value at Rs. 3,00,000/- per acre (Subject to deduction of 1/3rd hereof per acre)
2. The claimants are entitled to solatium @ 30 % p.a. on the enhanced amount.
3. That the claimants are entitled to the additional value @ 12% per annum or enhanced amount from the date of preliminary notification till the date of award.
4. That the claimants are entitled to interest 9% for one year from the date of preliminary notification and 15 % p.a. thereon the enhanced amount till the date of deposit in to the court.
5. The amount already paid by the LAO shall be deducted for the compensation payable.

2. The Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has further stated that the Asst Government Pleader, Adoni in his letter dated 13.06.2011 has opined that there is no necessity to prefer the appeals against the order of above O.Ps, as the Hon'ble High Court has already fixed the M.V. of acquired land to Rs. 3,00,000/- per acre in the subject matter of A.S. No : 1544/1986 basing on the said judgement the Hon'ble Sr. Civil Judge fixed the same M.V. per acre. As the enhancement is more than 50 % the LAO/RDO, Adoni has filed the Appeal in the High Court of AP, Hyderabad. As the orders of High Court are pending, the LAO/RDO filed the following Appeals, in the High Court of A.P., Hyderabad:

LAASMP No: 276/2012 in LAAS No : 72/2012, dt : 10.02.2012.
LAASMP No: 415/2012 in LAAS No : 783/2012 , dt : 21.02.2012.
LAASMP No: 273/2012 in LAAS No : 69/2012 , dt : 10.02.2012
LAASMP No: 149/2012 in LAAS No : 813/2012 , dt : 23.02.2012
LAASMP No: 422/2012 in LAAS No : 615/2012 , dt : 24.02.2012
LAASMP No: 361/2012 in LAAS No : 729/2012 , dt : 21.02.2012

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LAASMP No: 255/2012 in LAAS No : 56/2012 , dt : 07.02.2012
 LAASMP No: 322/2012 in LAAS No : 711/2012,dt : 21.02.2012
 LAASMP No: 308/2012 in LAAS No : 82/2012 , dt : 17.02.2012
 LAASMP No: 103/2012 in LAAS No : 29/2012 , dt : 25.01.2012
 LAASMP No: 104/2012 in LAAS No : 30/2012 , dt : 25.01.2012
 LAASMP No: 102/2012 in LAAS No : 27/2012 , dt : 25.01.2012
 LAASMP No: 546/2012 in LAAS No : 144/2012 , dt :09.03.2012 and
 LAASMP No: 652/2012 in LAAS No : 168/2012 , dt :30.02.2012

The order of High Court is as follows :

“There shall be an interim stay, on condition that the petitioner deposits half of the decretal amount together with costs within a period of six weeks from today. On such deposit, the respondent is permitted to with draw the same with out furnishing any security”

The Hon’ble High Court was pleased to grant interim stay on condition of depositing 50% of enhanced amount within a period of 6 weeks and requested to comply the said orders. The District Collector, Kurnool has submitted proposals to the Commissioner of Social Welfare, A.P., Hyderabad for sanction of Rs.87,24,548/- (Rupees eighty seven lakhs twenty four thousand five hundred forty eight only) towards payment of half of the decretal charges in O.P. Nos and Sy. Nos. situated at Yemmiganur (V & M), of Kurnool District for the purpose of providing house sites to weaker section as follows:

OP.No	Sy.No	Extent (in Acres)
31/2006	89/A3B, 89/A3A, 89/A1 and 69/D	2.055
58/2006	66/B	1.250
61/2006	65/B2, 66/B	2.210
67/2006	66/B	2.000
73/2006	17/B2B	3.620
74/2006	17/B2B	0.500
75/2006	69/C	1.300
81/2006	17/B2B	1.000
32/2007	66/D	0.150
32/2006	89/A3B, 89/A3A, 89/A1,69D	2.055
66/2006	65/B1	4.160
69/2006	68/A1, 68/A3, 69/A	2.740
27/2006	89/A3B, 89/A3A, 89/A1, 69/D	2.055
62/2006	65/B2, 66/B	2.210
	Total	Ac. 27.305 Cts

3. After verification and scrutiny of the proposals submitted by the District Collector, Kurnool/Commissioner of Social Welfare, A.P., Hyderabad, the Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad, has sent comparative calculation sheet for an amount of Rs.87,24,548/- (Rupees eighty seven lakhs twenty four thousand five hundred forty eight only) towards payment of half of the decretal charges in A.S Nos in OPs and Sy.Nos situated at Yemmiganur (Village& Mandal) of Kurnool District for providing house sites to the weaker section as follows:

LAASMP in LAAS & Interim Orders dated	OP.Nos	Sy.Nos	Extent (in Acres)
No. 276/2012 in LAAS No : 72/2012, dt : 10.02.2012.	31/2006	89/A3B, 89/A3A, 89/A1 and 69/D	2.055
No: 415/2012 in LAAS No : 783/2012 , dt : 21.02.2012.	58/2006	66/B	1.250
No: 273/2012 in LAAS No : 69/2012 , dt : 10.02.2012	61/2006	65/B2, 66/B	2.210
LAASMP No: 149/2012 in LAAS No : 813/2012 , dt : 23.02.2012	67/2006	66/B	2.000
LAASMP No: 422/2012 in LAAS No : 115/2012 , dt : 24.02.2012	73/2006	17/B2B	3.620
LAASMP No: 361/2012 in LAAS No : 729/2012 , dt : 21.02.2012	74/2006	17/B2B	0.500
No: 255/2012 in LAAS No : 56/2012 ,	75/2006	69/C	1.300

dt : 07.02.2012			
LAASMP No: 322/2012 in LAAS No : 711/2012.dt : 21.02.2012	81/2006	17/B2B	1.000
LAASMP No: 308/2012 in LAAS No : 82/2012 , dt : 17.02.2012	32/2007	66/D	0.150
No: 103/2012 in LAAS No : 29/2012 , dt : 25.01.2012	32/2006	89/A3B, 89/A3A, 89/A1,69D	2.055
No: 104/2012 in LAAS No : 30/2012 , dt : 25.01.2012	66/2006	65/B1	4.160
No: 102/2012 in LAAS No : 27/2012 , dt : 25.01.2012	69/2006	68/A1, 68/A3, 69/A	2.740
LAASMP No: 546/2012 in LAAS No : 144/2012 , dt :09.03.2012 and	27/2006	89/A3B, 89/A3A, 89/A1, 69/D	2.055
LAASMP No: 652/2012 in LAAS No : 168/2012 , dt :30.02.2012	62/2006	65/B2, 66/B	2.210
		Total	Ac. 27.305 Cts

6. Government, after careful examination of the above proposal, hereby accord permission to the Commissioner of Social Welfare, A.P., Hyderabad for release an amount of Rs.87,24,548/- (Rupees eighty seven lakhs twenty four thousand five hundred and forty eight only) to the District Collector, Kurnool, subject to outcome of the said Appeals, towards payment of half of the decrertal charges in LAASMPs, LAASs in O.Ps and Sy. Nos situated at Yemmiganur Village & Mandal of Kurnool Dist for the lands acquired for providing house sites to the weaker section as detailed below:

LAASMP in LAAS & Interim Orders dated	OP.Nos	Sy.Nos	Extent (in Acres)
LAASMP No. 276/2012 in LAAS No : 72/2012, dt : 10.02.2012.	31/2006	89/A3B, 89/A3A, 89/A1 and 69/D	2.055
No: 415/2012 in LAAS No : 783/2012 , dt : 21.02.2012.	58/2006	66/B	1.250
No: 273/2012 in LAAS No : 69/2012 , dt : 10.02.2012	61/2006	65/B2, 66/B	2.210
LAASMP No: 149/2012 in LAAS No : 813/2012 , dt : 23.02.2012	67/2006	66/B	2.000
LAASMP No: 422/2012 in LAAS No : 115/2012 , dt : 24.02.2012	73/2006	17/B2B	3.620
LAASMP No: 361/2012 in LAAS No : 729/2012 , dt : 21.02.2012	74/2006	17/B2B	0.500
No: 255/2012 in LAAS No : 56/2012 , dt : 07.02.2012	75/2006	69/C	1.300
LAASMP No: 322/2012 in LAAS No : 711/2012.dt : 21.02.2012	81/2006	17/B2B	1.000
LAASMP No: 308/2012 in LAAS No : 82/2012 , dt : 17.02.2012	32/2007	66/D	0.150
No: 103/2012 in LAAS No : 29/2012 , dt : 25.01.2012	32/2006	89/A3B, 89/A3A, 89/A1,69D	2.055
No: 104/2012 in LAAS No : 30/2012 , dt : 25.01.2012	66/2006	65/B1	4.160
No: 102/2012 in LAAS No : 27/2012 , dt : 25.01.2012	69/2006	68/A1, 68/A3, 69/A	2.740
LAASMP No: 546/2012 in LAAS No : 144/2012 , dt :09.03.2012 and	27/2006	89/A3B, 89/A3A, 89/A1, 69/D	2.055
LAASMP No: 652/2012 in LAAS No : 168/2012 , dt :30.02.2012	62/2006	65/B2, 66/B	2.210
		Total	Ac. 27.305 Cts

7. The expenditure sanctioned in para (4) above shall be met within the BE.2013-14 and debited to the following Head of Account:

“2225-Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes – 01 – Welfare of Scheduled Castes – M.H.283- Housing – G.H.11-Normal State Plan – SH(08) Acquisition of House Sites to weaker sections in Indiramma Programme – 310/312 – Other Grant – in – Aid”.

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6. The Commissioner of Social Welfare, A.P., Hyderabad is directed to issue necessary Proceedings to the District Collector, Kurnool to comply with the Court orders in LAASMP No. 276/2012 in LAAS No : 72/2012, dated 10.02.2012. in OP. No.31/2006 and batch.

7. The District Collector, Kurnool shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of the Proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

8. This order does not require the concurrence of Finance (Expr.SW) Department, as per their instructions vide U.O Note No.12869/196/A1/Expr.SW/2009 dated 22.05.2009 and U.O No. 15926/256/A1/1/Expr.SW/09, dated 17.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J. RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Special Chief Secretary & Chief Commissioner of Land Administration,
A.P., Hyderabad
The Commissioner of Social Welfare, A.P., Hyderabad,
The District Collector, Kurnool
Copy to:
The Director of Treasury & Accounts, A.P., Hyderabad,
The Accountant General, A.P., Hyderabad,
The District Treasury Officer, Kurnool District.
Finance (Exp.SW/BG) Department
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER